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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,324	03/06/2002	Jari Eikkula	P 290694	2881
909	7590	12/16/2004	EXAMINER	
PILLSBURY WINTHROP, LLP			HAROLD, JEFFEREY F	
P.O. BOX 10500			ART UNIT	
MCLEAN, VA 22102			PAPER NUMBER	
			2644	
DATE MAILED: 12/16/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/070,324	EIKKULA, JARI	
	Examiner	Art Unit	
	Jefferey F Harold	2644	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 0602.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-22 is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☒ Claim(s) 8-12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The references listed in the Information Disclosure Statement submitted on March 6 2002, have been considered by the examiner (see attached PTO-1449).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. **Claims 1 and 7** are rejected under 35 U.S.C. 102(a) as being anticipated by Alcatel (EP 0920172).

Regarding **claim 1**, Alcatel discloses a method of controlling an echo canceller. In addition, Alcatel discloses a method for controlling echo canceling in a telecommunications network comprising a first switching center having no echo canceling equipment and at least one second switching center having echo canceling equipment, the method comprising a step of establishing a call connection which is routed via said first switching center and the at least one second switching center without connecting the echo canceling equipment to the connection, changing, under control of said first switching center, a configuration of the call connection so that echo canceling becomes necessary, sending to said at least one second switching center from said first switching center a message commanding said at least one second

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switching center to connect the echo canceling equipment to the connection, as disclosed at column 1, line 52 through column 2, line 48.

Regarding **claim 7**, Alcatel discloses a method for controlling echo canceling in a telecommunications network comprising a first switching center having no echo canceling equipment and at least one second switching center having echo canceling equipment, the method comprising a step of establishing a call connection in a speech mode via the first switching center and the at least one second switching center so that the echo canceling equipment is connected to the connection, changing, under control of the first switching center, the type of call connection from the speech mode to another transmission mode in which echo canceling is not allowed, sending to the at least one second switching center from the first switching center a signaling message commanding the second switching center to disconnect the echo canceling equipment from the connection, as disclosed at column 1, line 52 through column 2, line 48.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. ***Claims 2-6*** are rejected under 35 U.S.C. 103(a) as being unpatentable over Alcatel in view of Scott (United States Patent 5,953,658).

Regarding **claim 2**, Alcatel discloses everything claimed as applied above (see claim 1), however, Alcatel fails to disclose wherein the telecommunications network is a mobile communications network, the first switching center is a mobile switching center, and the at least one second switching center is a gateway mobile switching center connecting the mobile communications network to a fixed telephone network, the method further comprising establishing the call connection initially between a first fixed telephone network party and a second fixed network party through the first mobile switching center and the gateway mobile switching center without any echo canceling equipment being connected to the call connection in the gateway mobile switching center, releasing a connection leg between the first mobile switching center and the second fixed network party, establishing, under control of the first mobile switching center, a new connection leg to a mobile station in the mobile communications network so that an end-to-end connection between the first fixed telephone network party and the mobile station is provided through the first and gateway mobile switching centers, sending to said gateway mobile switching center from said first mobile switching center a message commanding said gateway mobile switching center to connect the echo canceling equipment to the connection. However, the examiner maintains that it was well known in the art to provide wherein the telecommunications network is a mobile communications network, the first switching center is a mobile switching center, and the at least one second switching center is a gateway mobile switching center connecting the mobile communications network to a fixed telephone network, the method further comprising establishing the call connection initially between a first fixed telephone

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network party and a second fixed network party through the first mobile switching center and the gateway mobile switching center without any echo canceling equipment being connected to the call connection in the gateway mobile switching center, releasing a connection leg between the first mobile switching center and the second fixed network party, establishing, under control of the first mobile switching center, a new connection leg to a mobile station in the mobile communications network so that an end-to-end connection between the first fixed telephone network party and the mobile station is provided through the first and gateway mobile switching centers, sending to said gateway mobile switching center from said first mobile switching center a message commanding said gateway mobile switching center to connect the echo canceling equipment to the connection, as taught by Scott.

In a similar field of endeavor Scott discloses a system and method for eliminating offset echo in a data connection over cellular cordless telephone service. In addition, Scott discloses wherein the telecommunications network is a mobile communications network, the first switching center is a mobile switching center, and the at least one second switching center is a gateway mobile switching center connecting the mobile communications network to a fixed telephone network, the method further comprising establishing the call connection initially between a first fixed telephone network party and a second fixed network party through the first mobile switching center and the gateway mobile switching center without any echo canceling equipment being connected to the call connection in the gateway mobile switching center, releasing a connection leg between the first mobile switching center and the second fixed network

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party, establishing, under control of the first mobile switching center, a new connection leg to a mobile station in the mobile communications network so that an end-to-end connection between the first fixed telephone network party and the mobile station is provided through the first and gateway mobile switching centers, sending to said gateway mobile switching center from said first mobile switching center a message commanding said gateway mobile switching center to connect the echo canceling equipment to the connection as disclosed at column 7, line 44 through column 8, line 24 and exhibited in figure 3.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Alcatel by specifically providing wherein the telecommunications network is a mobile communications network, the first switching center is a mobile switching center, and the at least one second switching center is a gateway mobile switching center connecting the mobile communications network to a fixed telephone network, the method further comprising establishing the call connection initially between a first fixed telephone network party and a second fixed network party through the first mobile switching center and the gateway mobile switching center without any echo canceling equipment being connected to the call connection in the gateway mobile switching center, releasing a connection leg between the first mobile switching center and the second fixed network party, establishing, under control of the first mobile switching center, a new connection leg to a mobile station in the mobile communications network so that an end-to-end connection between the first fixed telephone network party and the mobile station is provided through the first and

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gateway mobile switching centers, sending to said gateway mobile switching center from said first mobile switching center a message commanding said gateway mobile switching center to connect the echo canceling equipment to the connection, as taught by Scott, for the purpose of better reliability by removal of the opposite echo.

Regarding **claim 3**, Alcatel discloses everything claimed as applied above (see claim 1), however, Alcatel fails to disclose, wherein said message being an ISUP Facility message provided with a specific field for controlling the connecting of the echo canceling equipment. However, the examiner maintains that it was well known in the art to provide wherein said message being an ISUP Facility message provided with a specific field for controlling the connecting of the echo canceling equipment, as taught by Scott.

In addition, Scott discloses wherein said message being an ISUP Facility message provided with a specific field for controlling the connecting of the echo canceling equipment, as disclosed column 7, line 44 through column 8, line 24 and exhibited in figure 3.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Alcatel by specifically providing wherein said message being an ISUP Facility message provided with a specific field for controlling the connecting of the echo canceling equipment, as taught by Scott, for the purpose of better reliability by removal of the opposite echo.

Regarding **claim 4**, Alcatel discloses everything claimed as applied above (see claim 1), however, Alcatel fails to disclose controlling the call in the first switching center

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by an intelligent network. However, the examiner maintains that it was well known in the art to provide controlling the call in said first switching center by an intelligent network, as taught by Scott.

In addition, Scott discloses controlling the call in the first switching center by an intelligent network, as disclosed column 7, line 44 through column 8, line 24 and exhibited in figure 3.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Alcatel by specifically providing controlling the call in said first switching center by an intelligent network, as taught by Scott, for the purpose of better reliability by removal of the opposite echo.

Regarding **claim 5**, Alcatel discloses everything claimed as applied above (see claim 4), however, Alcatel fails to disclose performing the release of the connection leg to the second fixed network party and said establishment of the new connection to the mobile station during a call party handling procedure of the intelligent network. However, the examiner maintains that it was well known in the art to provide performing the release of the connection leg to the second fixed network party and said establishment of the new connection to the mobile station during a call party handling procedure of the intelligent network, as taught by Scott.

In addition, Scott discloses performing the release of the connection leg to the second fixed network party and said establishment of the new connection to the mobile station during a call party handling procedure of the intelligent network, as disclosed column 7, line 44 through column 8, line 24 and exhibited in figure 3.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Alcatel by specifically providing performing the release of the connection leg to the second fixed network party and said establishment of the new connection to the mobile station during a call party handling procedure of the intelligent network, as taught by Scott, for the purpose of better reliability by removal of the opposite echo.

Regarding **claim 6**, Alcatel discloses everything claimed as applied above (see claim 4), however, Alcatel fails to disclose wherein the step of releasing the connection leg between said first mobile switching center and the second fixed network party being performed in response to a release initiated by the second fixed network party, preferably a voice mail service. However, the examiner maintains that it was well known in the art to provide wherein the step of releasing the connection leg between said first mobile switching center and the second fixed network party being performed in response to a release initiated by the second fixed network party, preferably a voice mail service, as taught by Scott.

In addition, Scott discloses wherein the step of releasing the connection leg between said first mobile switching center and the second fixed network party being performed in response to a release initiated by the second fixed network party, preferably a voice mail service, as disclosed column 7, line 44 through column 8, line 24 and exhibited in figure 3.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Alcatel by specifically providing wherein the step

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of releasing the connection leg between said first mobile switching center and the second fixed network party being performed in response to a release initiated by the second fixed network party, preferably a voice mail service, as taught by Scott, for the purpose of better reliability by removal of the opposite echo.

Allowable Subject Matter

4. ***Claims 13-22*** are allowed.
5. ***Claims 8-12*** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jefferey F Harold whose telephone number is 703-306-5836. The examiner can normally be reached on Monday - Friday 9 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W Isen can be reached on 703-305-4386. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JFH
December 10, 2004



Jefferey F Harold
Examiner
Art Unit 2644